

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

NATIONAL CORPORATE TAX CREDIT FUND VII
AND NATIONAL CORPORATE TAX CREDIT, INC. VII PLAINTIFFS
vs. CIVIL ACTION NO. 3:04-CV-559BN
CURT BUSCHING AND G. C. CORP., INC. DEFENDANTS

ORDER

In Plaintiffs' Response to Motion for Protective Order,¹ Plaintiffs state a request for this Court to "clarify" its Order of March 7, 2006, which was filed under docket entry no. 65 (hereinafter "March 7 Order"). In the March 7 Order, the Court allowed Plaintiffs to "conduct further discovery in the form of subpoena(s) and/or deposition(s) of Trustmark National Bank and its employees, limited solely to the issue of assignment of the subject Deed of Trust to the Busching Family. (Emphasis in original). Through the Request to "clarify," Plaintiff actually seeks to expand the scope of the March 7 Order. Plaintiff asks the Court to confirm that Plaintiffs are entitled to conduct discovery of other persons/entities believed to possess information regarding Trustmark's cancellation, assignment(s) and/or conveyance(s) of the Deed of Trust and/or the real property (Genesis Court Apartments) that was encumbered by the Deed of Trust, specifically including discovery directed to Paul Varner, Esq. and Butler Snow law firm, and Beverly Gartin Busching and/or her agents.

¹The Response was filed on April 25, 2006, under docket entry no. 79.

Plaintiffs' Response to Motion for Protective Order (docket entry no. 79), p. 5.

The Court notes that the trial of this case is set during the trial calendar beginning June 5, 2006. Given that this trial setting is only about five weeks away, Plaintiffs' request for additional discovery is denied as untimely.

SO ORDERED this the 28th day of April, 2006.

s/ William H. Barbour, Jr.
UNITED STATES DISTRICT JUDGE

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